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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ADRIAN CALDERA JIMENEZ,)	No. C 08-4661 MEJ
)	
Petitioner,)	
)	
v.)	
)	JOINT CASE MANAGEMENT
MICHAEL MUKASEY, Attorney General)	STATEMENT
of the United States; et al.,)	
)	CASE MANAGEMENT ORDER
Respondents.)	ORDER VACATING 1/15/09 CMC

1. Jurisdiction and Service: There are no issues concerning personal jurisdiction or venue. Petitioner brought this Complaint under 8 U.S.C. § 1421(c). All parties have been served.

2. Facts: On October 25, 2007, Petitioner's application for naturalization was denied. On June 18, 2008, the U.S. Citizenship and Immigration Services denied Petitioner's administrative appeal.

3. Legal Issues: The principal legal issue the parties dispute is whether Petitioner is eligible for naturalization.

4. Motions: The parties intend to file cross motions for summary judgment.

5. Amendment of Pleadings: None.

6. Evidence Preservation: None.

7. Disclosures: The parties agree that this Court's review will be confined to the

administrative record and therefore this proceeding is exempt from the initial disclosure requirements under Fed. R. Civ. P. 26.

8. Discovery: There has been no discovery to date and the parties believe this matter can be resolved without discovery. No experts will be designated.

9. Class Actions: Not applicable.

10. Related Cases: None.

11. Relief: Petitioner asks for a judicial grant of citizenship. This case does not involve damages.

12. Settlement and ADR: The Court granted the parties' Request to Be Exempt From Formal ADR on January 5, 2009.

13. Consent to Magistrate Judge for All Purposes: The parties have consented to assignment of this case to a magistrate judge.

14. Other References: None.

15. Narrowing of Issues: None.

16. Expedited Schedule: The parties believe this matter can be solved through motions.

17. Scheduling: The parties suggest the following dates:

Petitioner's Motion for Summary Judgment: January 29, 2009

Respondents' Opposition and Cross Motion: February 12, 2009

Petitioner's Reply and Opposition: February 19, 2009

Respondents' Reply: February 26, 2009

Hearing: March 12, 2009 at 10:00 a.m.

18. Trial: None anticipated.

19. Disclosure of Non-party Interested Entities or Persons: None.

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20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this matter: None.

Dated: January 8, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Respondents

Dated: January 8, 2009

/s/
H. NELSON MEEKS
Attorney for Petitioner

CASE MANAGEMENT ORDER

The January 15, 2009 CMC is vacated.

The Joint Case Management Statement and Proposed Order are hereby adopted by the Court as the Case Management Order for the case, and the parties are ordered to comply with this Order

Dated: January 8, 2009


MARIE ELENA JAMES
United States Magistrate Judge

¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.